

UNITED STATES DISTRICT COURT  
NORTHERN DIVISION FLORIDA

UNITED STATES OF AMERICA  
v.  
PETER AUSTIN HOLLAND

## **COMMITMENT TO ANOTHER DISTRICT**

DOCKET NUMBER		MAGISTRATE/JUDGE CASE NUMBER	
District of Arrest	District of Offense	District of Arrest	District of Offense
	00-6317-CR-Ferguson	5:00M041-LAB	

**CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN**

Indictment       Information       Complaint       Other (specify)

charging a violation of 8 U.S.C. § 1326(a) and (b)(1) & (2); 1546 (a)

**DISTRICT OF OFFENSE**

**DISTRICT OF OFFENSE**

**DESCRIPTION OF CHARGES:**

### Re-Entry after deportation

**CURRENT BOND STATUS:**

- Bail Fixed at \_\_\_\_\_ and conditions were not met 5  
 Government moved for detention and defendant detained after hearing in District of Arrest 5  
 Government moved for detention and defendant detained pending detention hearing in District of Offense  
 Other (specify) \_\_\_\_\_

**Representation:**  Retained Own Counsel  Federal Defender Organization  CJA Attorney  None

**Interpreter Required?**  No  Yes **Language**

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

November 16, 2000

Date \_\_\_\_\_

**United States Judge or Magistrate Judge**

**RETURN**

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED	PLACE OF COMMITMENT	DATE DEFENDANT COMMITTED U.S. DISTRICT COURT NORTHERN DIST. FLA. AT THE CITY, FLA.
CERTIFIED A TRUE COPY ROBERT A. MOSKOWITZ, DEPUTY MARSHAL 		(BY) DEPUTY MARSHAL 00 NOV 16 PM 3:4

CLOSED

U.S. District Court  
Northern District of Florida (Panama City)

CRIMINAL DOCKET FOR CASE #: 00-M -41-ALL

USA v. HOLLAND

Dkt# in other court: None

Filed: 11/16/00

Case Assigned to: Magistrate Judge Larry A Bodiford

PETER AUSTIN HOLLAND (1)  
defendant

Pending Counts:

NONE

Terminated Counts:

NONE

Complaints:

NONE

SEARCHED, SERIALIZED, INDEXED  
ROBERT A. MCGOWAN, CLERK  
BY [Signature]  
Deputy Clerk

INTERNAL USE ONLY: Proceedings include all events.  
5:00m 41-ALL USA v. HOLLAND

PETER AUSTIN HOLLAND

CLOSED

defendant

=====

USA

plaintiff

U. S. Attorneys:

NONE

INTERNAL USE ONLY: Proceedings include all events.

5:00m 41-ALL USA v. HOLLAND

11/16/00 1 Removal hearing minutes as to PETER AUSTIN HOLLAND Court Reporter: magistrate tape (sjw) [Entry date 11/21/00] CLOSED

11/16/00 2 WAIVER of Rule 40 Hearings by PETER AUSTIN HOLLAND (sjw) [Entry date 11/21/00]

11/16/00 3 CJA 23 Financial Affidavit by PETER AUSTIN HOLLAND (sjw) [Entry date 11/21/00]

11/16/00 4 ORDER of COMMITMENT TO ANOTHER DISTRICT (Southern District of Florida, Miami Division 00-6317 cr ferguson) by Magistrate Judge Larry A. Bodiford as to PETER AUSTIN HOLLAND Copies sent as noted on document. (sjw) [Entry date 11/21/00]

11/21/00 -- \*\*Case closed as to PETER AUSTIN HOLLAND (all defendants). (sjw) [Entry date 11/21/00]

11/21/00 -- FILE location: mailed docket sheet and original documents to clerk's office, USDC, Miami, Fl. (sjw) [Entry date 11/21/00]

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES  
IN THE CASE OF MAGISTRATE  DISTRICT  APPEALS COURT or  OTHER PANEL (Specify below)

FOR

VS.  
AT

LOCATION NUMBER

PERSON REPRESENTED (Show your full name)

Peter Austin Holland

CHARGE/OFFENSE (describe if applicable &amp; check box →)

 Felony  Misdemeanor

Re-Entry After Deportation

- Defendant—Adult
- Defendant—Juvenile
- Appellant
- Probation Violator
- Parole Violator
- Habeas Petitioner
- 2255 Petitioner
- Material Witness
- Other (Specify) \_\_\_\_\_

DCKET NUMBERS
Magistrate
District Court
Court of Appeals

## ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

EMPLOY- MENT	Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Am Self Employed									
	Name and address of employer: _____									
IF YES, how much do you earn per month? \$ _____			IF NO, give month and year of last employment _____							
			How much did you earn per month \$ _____							
If married is your Spouse employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			If a minor under age 21, what is your Parents or Guardian's approximate monthly income \$ _____							
IF YES, how much does your Spouse earn per month \$ _____										
ASSETS	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No									
	IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY S _____									
OTHER INCOME	RECEIVED SOURCES									
	Total winnings 28 million split 5 family members									
CASH	Have you any cash on hand or money in savings or checking account <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, state total amount \$ _____									
PROP- ERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No									
	IF YES, GIVE VALUE AND S DESCRIBE IT VALUE DESCRIPTION									
5 bedroom home standard lot #450,000 purchased 4/99. Monthly payments \$3,000.										
OBLIGATIONS & DEBTS	DEPENDENTS MARITAL STATUS Total No. of Dependents List persons you actually support and your relationship to them									
	<table border="1"> <tr><td>SINGLE</td><td></td></tr> <tr><td><input checked="" type="checkbox"/> MARRIED</td><td></td></tr> <tr><td>WIDOWED</td><td></td></tr> <tr><td>SEPARATED OR DIVORCED</td><td></td></tr> </table> <p>Marva Holland</p>			SINGLE		<input checked="" type="checkbox"/> MARRIED		WIDOWED		SEPARATED OR DIVORCED
SINGLE										
<input checked="" type="checkbox"/> MARRIED										
WIDOWED										
SEPARATED OR DIVORCED										
DEBTS & MONTHLY BILLS	APARTMENT OR HOME	Creditors	Total Debt	Monthly Pay.						
House payment \$ 3,000										
Utilities \$ 400										
Groceries \$ 400										
Insurance \$ 120										

I certify the above to be correct.

SIGNATURE OF DEFENDANT  
(OR PERSON REPRESENTED)

X Peter Holland

00 NOV 16 PM 3:40  
11/16/00

WARNING: A FALSE OR DISHONEST ANSWER TO A QUESTION IN THIS AFFIDAVIT MAY BE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH.

FILED

Note: Defendant is presently divorcing and wife is only source of income.

# United States District Court

NORTHERN

DISTRICT OF

FLORIDA

UNITED STATES OF AMERICA

V.

## WAIVER OF RULE 40 HEARINGS (Excluding Probation Cases)

PETER AUSTIN HOLLAND

CASE NUMBER: 5:00M041-LAB

I, Peter Austin Holland, understand that in the Southern District of Florida, charges are pending alleging violation of 8 U.S.C. §§ 1328(a) and (b)(1) & (2); 1546 (a) and that I have been arrested in this District and taken before a United States Magistrate Judge who informed me of the charge and of my right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

### I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- identity hearing  
 preliminary examination  
 identity hearing and have been informed I have no right to a preliminary examination  
 identity hearing but request a preliminary examination be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

*Peter Austin Holland*  
Defendant  
COURT CLERK  
CLERK OF THE COURT

Waived *100 NOV 16 PM 3:40*  
Defense Counsel

November 16, 2000

Date

- 2 -

FILED

Case No. 5:00M041-LABDate: November 16, 2000DOCKET ENTRY: INITIAL APPEARANCE ON **INDICTMENT**

PRESENT: Honorable Larry A. Bodiford, United States Magistrate Judge  
Susan A. Mayo, Deputy Clerk  
Tape No. 00-, Reporter  
Greg Miller, Asst. U. S. Attorney  
None present, Defense Attorney (Retained/Appt'd)  
Peter Austin Holland, Defendant  
\_\_\_\_ Custody; XX Bond; XX O/R

**PROCEEDINGS:**

- Defendant advised that he is before a United States Magistrate Judge.  
 Defendant advised of charges against him, penalties and fines.  
 Defendant advised not to make any statement before consulting an attorney.  
 Defendant advised of his right to hire counsel or have counsel appointed.  
 Defendant executed CJA Form 23 (Financial Affidavit) and sworn to its accuracy.  
Defendant appointed the services of the Federal Public Defender (see separate order)  
Defendant declined to complete CJA Form 23, and was advised that should he subsequently change his mind, he should file a CJA 23 with Clerk of Court.  
Defendant will hire his own Counsel:  
 Defendant waived counsel for these proceedings only.  
Defendant advised of his right to reasonable bail.  
Government moves for a temporary detention hearing.  
Detention hearing scheduled for:  
Bond Set (See separate order of conditions of release.)

I waived identity & removal and agrees to be transported to the Southern District of Florida to face charges.

00 NOV 16 PM 3:40

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION

UNITED STATES OF AMERICA

vs.

DOCKET NO: 5:00M041-LAB  
APPEARANCE  
DATE: November 16, 2000

PETER AUSTIN HOLLAND

-----  
INITIAL APPEARANCE BEFORE UNITED STATES MAGISTRATE

I, LARRY A. BODIFORD, United States Magistrate for the Northern District of Florida, do hereby certify that the Defendant appeared with \_\_\_\_\_ without        an attorney, and that I have this date advised the Defendant of the following rights and taken the following action:

- 1. Advised that he/she is before a United States Magistrate
- 2. Advised of the charge or charges
- 3. Advised that he/she does not have to make any statement; that he/she has a right to consult with an attorney before making any statement; that any statement that he/she makes could be used against him/her
- 4. Advised of right to hire an attorney, or have an attorney appointed if, after inquiry, Defendant is found to be unable to hire an attorney
- 5. Defendant executed CJA Form 23
- 6. Federal public defender appointed after determination defendant unable to hire an attorney
- 7. Defendant waived an attorney for initial appearance proceedings only
- 8. Advised that waiver does not prevent representation by an attorney for trial or any other judicial proceedings
- 9. Defendant signed\_\_\_\_\_ refused to sign\_\_\_\_\_ waiver after having waived an attorney
- 10. Advised Defendant that he/she should obtain and file CJA 23 if Defendant subsequently decides to request appointment of an attorney

00 NOV 16 PM 3:40

FILED

11. Defendant admitted financial ability to employ an attorney  
Attorney: \_\_\_\_\_
12. Defendant admitted \_\_\_\_\_ Magistrate found \_\_\_\_\_ Defendant is financially able to employ an attorney
13. Advised of right to preliminary hearing as to probable cause on the charge/charges filed
14. Advised no right to preliminary hearing
15. Advised of right to waive preliminary hearing
16. Advised of right to subpoena witnesses and produce evidence at preliminary hearing
17. Advised of the consequences of waiver of preliminary hearing
18. Advised of the consequences after preliminary hearing
19. Waived preliminary hearing
20. Fix date and time for preliminary hearing
21. Fix date and time for arraignment
22. Defendant ordered discharged
23. Defendant ordered bound over to District Court
24. Advised of right to have reasonable bond set
25. Bail set  
(Amount \$ \_\_\_\_\_ Type \_\_\_\_\_)
26. Defendant released on bail
27. Defendant committed.

*Larry A. Bodiford*  
LARRY A. BODIFORD  
UNITED STATES MAGISTRATE

Judge's Notes:

*Rule 40 to S.D. of Florida*

Nov-13-00 05:32am From-

T-380 P-02/02 F-883

SOUTHERNUnited States DISTRICT COURT

DISTRICT OF

FLORIDA

UNITED STATES OF AMERICA

v.

## WARRANT FOR ARREST (041)

PETER AUSTIN HOLLAND  
a/k/a/ "Jimmy Lee Murray"

CASE NUMBER: 00-6317

CR - FERGUSON

TO: The United States Marshal  
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest

PETER AUSTIN HOLLAND MAGISTRATE JUDGE  
Name SNOW

and bring him or her forthwith to the nearest magistrate to answer a(n)

Indictment     Information     Complaint     Order of court     Violation Notice     Probation Violation Petition  
 charging him or her with (brief description of offense)

## RE-ENTRY AFTER DEPORTATION

in violation of Title 8 United States Code, Section(s) 1328 (a) and (b)(1) &amp; (2); 1546(a)

BOSTON  
SIXTH DISTRICT  
U.S. ATTORNEY  
DEPT. OF JUSTICE  
NOV - 2 PM 3-14

Clarence MaddekCourt Admin/Integrator/Clerk of the Court

Name of Issuing Officer

Title of Issuing Officer

Issuing Officer/  
*P.S.*

Date and Location

Bail fixed at \$

Pretrial Detention

Nov. 2, 2000 - Ft. Lauderdale, FL  
by BARRY S. SELTZER  
UNITED STATES MAGISTRATE JUDGEName of Judicial Officer  
*Barry Seltzer*

RETURN		
This warrant was received and executed with the arrest of the above named defendant at _____		
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. **00-6317 CR-FERGUSON**

8 U.S.C. §1326(a) and (b)(1) & (2) MAGISTRATE JUDGE  
18 U.S.C. §1546(a) SNOW

UNITED STATES OF AMERICA )

Plaintiff, )

v. )

PETER AUSTIN HOLLAND,  
a/k/a "Jimmy Lee Murray," )

Defendant. )

INDICTMENT

The Grand Jury charges that:

COUNT I

On or about January 12, 2000, at Broward County, in the Southern District of Florida the defendant,

PETER AUSTIN HOLLAND,  
a/k/a "Jimmy Lee Murray,"

an alien, having been deported on or about August 13, 1998 and subsequent to a conviction for the commission of an aggravated felony was found in the United States knowingly and without the Attorney General having expressly consented to such alien's reapplying for admission into the United States, in violation of Title 8, United States Code, Section 1326(a) and (b)(1) & (2).

for

COUNT II

On or about November 20, 1998, at Miami-Dade County in the  
Southern District of Florida the defendant,

PETER AUSTIN HOLLAND  
a/k/a "Jimmy Lee Murray,"

did knowingly utter, use, attempt to use, and possess, a document  
prescribed by statute or regulation for entry into or as evidence  
of authorized stay or employment in the United States, that is, a  
U.S. passport which the defendant knew to be procured by means of  
a false claim or statement or otherwise procured by fraud or  
unlawfully obtained, in that the defendant in applying for said  
passport in 1995, fraudulently claimed to be "Jimmy Lee Murray," a  
United States Citizen, when in truth and in fact, the defendant  
well knew his identity to be PETER AUSTIN HOLLAND, a Jamaican  
citizen and used said passport to illegally enter the United States  
at Miami International Airport, in violation of Title 18, United  
States Code, Section 1546(a).

A TRUE BILL

Leonard Pott  
FOREPERSON

Celia O'Pausa Jr.  
GUY A. LEWIS

UNITED STATES ATTORNEY

Scott H. Bernke  
SCOTT H. BERNKE  
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO. \_\_\_\_\_

v.

PETER AUSTIN JOLLAND

## CERTIFICATE OF TRIAL ATTORNEY\*

Court Division: (Select One)

Superseding Case Information:

Miami     Key West  
 FTI     WPB     ETP

New Defendant(s) Yes \_\_\_\_\_ No \_\_\_\_\_  
 Number of New Defendants \_\_\_\_\_  
 Total number of counts \_\_\_\_\_

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
3. Interpreter: (Yes or No) \_\_\_\_\_  
 List language and/or dialect \_\_\_\_\_
4. This case will take \_\_\_\_\_ 3 days for the parties to try.
5. Please check appropriate category and type of offense listed below:  
(Check only one)

I	0 to 5 days	<input checked="" type="checkbox"/>	Petty	_____
II	6 to 10 days	<input type="checkbox"/>	Minor	_____
III	11 to 20 days	<input type="checkbox"/>	Misdem.	_____
IV	21 to 60 days	<input type="checkbox"/>	Felony	<input checked="" type="checkbox"/>
V	61 days and over	<input type="checkbox"/>		

6. Has this case been previously filed in this District Court? (Yes or No) \_\_\_\_\_ No \_\_\_\_\_

If yes: \_\_\_\_\_  
 Judge: \_\_\_\_\_ Case No. \_\_\_\_\_  
 (Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) \_\_\_\_\_ No \_\_\_\_\_

If yes:

Magistrate's Case No. \_\_\_\_\_  
 Related Miscellaneous numbers: \_\_\_\_\_  
 Defendant(s) in federal custody as of \_\_\_\_\_  
 Defendant(s) in state custody as of \_\_\_\_\_ 01-13-00  
 Rule 20 from the \_\_\_\_\_ District of \_\_\_\_\_

Is this a potential death penalty case? (Yes or No) \_\_\_\_\_ No \_\_\_\_\_

7. Does this case originate from a matter pending in the U. S. Attorney's Office prior to April 1, 1999?  
 \_\_\_\_\_ Yes  No  If yes, was it pending in the Central Region? \_\_\_\_\_ Yes  No

8. Did this case originate in the Narcotics Section, Miami? \_\_\_\_\_ Yes  No

*[Signature]*  
 ASSISTANT UNITED STATES ATTORNEY  
 Attorney No. A5500005

\*Penalty Sheet(s) attached

REV. 6/27/00

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: PETER AUSTIN HOLLAND No.: \_\_\_\_\_

Count #: 1

Reentry of deported felon in violation of 8 U.S.C. 1326(a) & (b)(2)

\*Max Penalty: A term of imprisonment of not more than 20 years' or a fine up to \$250,000, or both

Count #: 2

Fraud and misuse of visas, permits, and other documents in violation of 18 U.S.C. 1546(a)

\*Max Penalty: A term of imprisonment of not more than 10 years' or a fine of up to \$250,000, or both

Count #: 3

\_\_\_\_\_

\*Max Penalty: \_\_\_\_\_

Count #: 4

\_\_\_\_\_

\*Max Penalty: \_\_\_\_\_

Count #: 5

\_\_\_\_\_

\*Max Penalty: \_\_\_\_\_

Count #: 6

\_\_\_\_\_

\*Max Penalty: \_\_\_\_\_

\*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms or forfeitures that may be applicable.

REV 12/24